

REMARKS

Prior to this communication, claims 1, 2, 4 – 9, 19, 21 – 24, 26 – 40 are pending in the application. In the pending Office action, the Examiner rejected claims 1, 2, 4 – 9, 19, 21 – 24, 26 – 40. In response, Applicants are amending claim 1 and canceling claims 29 – 40; thus leaving claims 2, 4 – 9, 19, 21 – 24, 26 – 28 unchanged. Reexamination and reconsideration in view of the amendment and remarks contained herein are respectfully requested.

Claims 1, 2, 4 – 6, 8, 9, 19, 21 – 24, 27, and 28 stand rejected under 35 U.S.C § 102(b) as being anticipated by U.S. Patent No. 4,798,082 (“Fujikawa”). Fujikawa discloses an engine-equipped apparatus that includes a control-display device. Data such as the current supplied by a generator is fed to the control-display device with a connection cable that connects the device to the generator. The control-display device contains computing circuits, and display devices for displaying the data converted by these computing circuits. The cable is electrically located between the engine-equipped apparatus and the control-display device. Signals passing from the apparatus to the control-display device are in an analog state, whereby, through the connection and disconnection as desired of a separate multi-core cable having at least one plug and socket of the same type between the first cable’s plug and socket, selection can be made between direct connection of the device to the engine-equipped apparatus and positioning of the display device in a location separated from the engine-equipped apparatus.

Particularly, the Examiner indicated that Fujikawa discloses an “apparatus comprising: a sensor adapted to sense a signal supplied to the load (column 5, lines 55-65).” (Page 2, Section 3 of the Pending Action)

Applicants respectfully disagree. Currently amended Claim 1 requires a stand-alone detachable load monitoring module that includes a sensor adapted to sense a signal supplied to the load. However, Fujikawa discloses that:

[A]ll of the signals from the circuits 30c, 30e, 30f, 38b, 38d, 38e, 57 and 59 (which are located in the main body 2) are in analog form and are fed through the wires in the multicore cable 48 to the CPU 32 contained in the remote display-control device 46. The couplers or plugs 49 and 50 (or 54 and 55) of the cable are shown in FIG. 5. It will be noted that the throttle-control signal to the coil 33 and the ignition primary grounding signal to stop the engine are fed back

through the cable 48 and the couplers 49 and 50 to circuits in the main body 2. The latter two signals are converted from digital to analog form in the CPU 32 before being fed back through the cable. (Column 5, lines 55-65)

Fujikawa therefore discloses that output signals that are analog in nature, are transferred from the circuits 30c, 30e, 30f, 38b, 38d, 38e, 57 and 59 at the generator 3, through the couplers 49, 54 at the generator 3, the cable 48, the couplers 50, 54 at the control-display device 46, and the computing circuits 32 at the control-display device 46. That is, circuits that sense conditions of the signals are located at the generator 3, and circuits that control the display are located in the control-display device 46. In other words, the control-display device 46 does not “sense a signal supplied to the load” as required in Claim 1. Rather the control-display device 46 merely receives the output signals such as overload warning signals, AC voltage data and frequency data signals from the circuits 30c, 30e, 30f, 38b, 38d, 38e, 57 and 59 at the computing circuits 32 through the cable 48 in analog form. (Col. 3, lines 30 – 43, and col. 4, lines 15 – 17) The control-display device 46 then converts or digitizes the analog signals in the computing circuits 32, and displays at a display window 15. (Col. 4, lines 19 – 21.) Therefore, Fujikawa does not teach or suggest a stand-alone detachable load monitoring module that includes “a sensor adapted to sense a signal supplied to the load” as required in Claim 1.

Fujikawa also discloses that branches 30b, 30d are connected to a “circuit 30c for developing a voltage signal which is fed to the computing circuits 32 (CPU) as an overload warning signal,” and to a “circuit 30e for developing an analog signal which is fed to the computing circuits 32 as the AC voltage data and the AC frequency data.” (Col. 3, line 68 – col. 4, line 3, and col. 4, lines 11 – 14.) The generator 3 thus sends sensed and processed signals to the control-display device 46 via the cable 48. Therefore, Fujikawa does not teach or suggest a stand-alone detachable load monitoring module that includes “a sensor adapted to sense a signal supplied to the load” as required in Claim 1.

The Examiner also indicated that Fujikawa discloses an apparatus that “includes a humanly perceptible indicator (46, remount control display device) having a plug adapted to be inserted into a power receptacle, and to output at least one discontinuous humanly perceptible indication of the sensed signal supplied to the load (device 46 senses and displays value of voltage, amp, frequency, oil, fuel and overload) and a LCD (14), a frequency sensor

(Fig. 4), the power receptacle is positioned at the generator (51, 54, Fig. 4).” (Page 2, Section 3 of the Pending Action)

Applicants respectfully disagree.

Currently amended Claim 1 requires a stand-alone detachable load monitoring module that includes “a humanly perceptible indicator having a plug adapted to be inserted into a power receptacle, and to output at least one discontinuous humanly perceptible indication of the sensed signal supplied to the load.” Rather, Fujikawa discloses a portable engine-generator set 3 that has power receptacles or output sockets 9 on a control panel 6 of the portable engine-generator set 3. (Col. 2, lines 23 – 25) The portable engine-generator set 3 further includes a terminal of the AC circuit breaker 10 that is “connected to one of the terminals of the AC power output socket 9. The other end of the output winding 30 is connected to the other output terminal of the output socket 9 via a current transformer 31.” (Col. 3, lines 55 – 63.) Furthermore, branches 30b, 30d are connected to a “circuit 30c for developing a voltage signal which is fed to the computing circuits 32 (CPU) as an overload warning signal,” and to a “circuit 30e for developing an analog signal which is fed to the computing circuits 32 as the AC voltage data and the AC frequency data.” (Col. 3, line 68 – col. 4, line 3, and col. 4, lines 11 – 14.) That is, the control-display device 46 is not inserted into any of the output sockets 9. Rather, the control-display device 46 is merely connected to the generator through the cable 48, the circuits 30c, 30e, and the branches 30b, 30d. In other words, Fujikawa does not teach or suggest a stand-alone detachable load monitoring module that includes “a humanly perceptible indicator having a plug adapted to be inserted into a power receptacle, and to output at least one discontinuous humanly perceptible indication of the sensed signal supplied to the load” as required by claim 1.

Therefore, independent claim 1 is allowable. Dependent claims 2, 4 – 6, 8, 9, 28 therefore also include patentable subject matter for the reasons set forth above with respect to claim 1.

Similarly, independent claim 19 requires “inserting the stand-alone detachable humanly perceptible indicator into a power receptacle,” and “sensing the power supplied from the generator to the load,” among other things. Fujikawa does not teach or suggest “inserting the stand-alone detachable humanly perceptible indicator into a power receptacle,” or “sensing the power supplied from the generator to the load,” as required by claim 19 as explained with respect to claim 1. Therefore, independent claim 19 is also allowable.

Dependent claims 21 – 24, 27 also include patentable subject matter for the reasons set forth above with respect to claim 19.

The Examiner also rejected claims 7 and 26 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Fujikawa and in view of skill in the art.

To establish a *prima facie* case of obviousness, three basic criteria must be met. *M.P.E.P.* § 706.02(j), and 2143.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be both found in the prior art, not in applicant's disclosure.

*Id. See also In re Rougget*, 149 F.3d 1350, 1355 (Fed. Cir. 1998) (“To reject claims in an application under section 103, the Examiner must show an un rebutted *prima facie* case of obviousness. In the absence of a proper *prima facie* case of obviousness, an applicant who complies with the other statutory requirements is entitled to a patent.”)

Applicants contend that the Examiner has not set forth a proper *prima facie* case of obviousness in section 4 of the pending action. For example, the Examiner must show that the prior art reference (or references when combined) teaches or suggests all the claim limitations. First, amended claim 1 requires, among other things, a stand-alone detachable load monitoring module that includes “a sensor adapted to sense a signal supplied to the load,” and “a humanly perceptible indicator having a plug adapted to be inserted into a power receptacle, and to output at least one discontinuous humanly perceptible indication of the sensed signal supplied to the load.” Fujikawa does not teach or suggest a stand-alone detachable load monitoring module that includes a sensor adapted to sense a signal supplied to the load, or a humanly perceptible indicator having a plug adapted to be inserted into a power receptacle. Secondly, amended claim 19 requires, among other things, “inserting the stand-alone detachable humanly perceptible indicator into a power receptacle.” That is, claim 1 is directed to a stand-alone detachable load monitoring module that includes a sensor adapted to sense a signal supplied to the load, and claim 19 requires a stand-alone detachable humanly perceptible indicator. Both claims include a stand-alone detachable load monitoring module that includes “a sensor adapted to sense a signal supplied to the load,” and a humanly

perceptible indicator that has a plug, which can be adapted to be inserted into a power receptacle, among other things. Fujikawa does not teach or suggest a stand-alone detachable load monitoring module that includes “a sensor adapted to sense a signal supplied to the load,” and a humanly perceptible indicator that has a plug that can be inserted into a power receptacle. Therefore, Fujikawa does not teach or suggest all the limitations as claimed in claims 1 and 19.

Applicants also note that Fujikawa teaches away from claim 1 since “the cable section 48a is wired directly into the main body 2 and the cable section 48b is wired directly into the control device 46.” (Col. 2, line 67 – col. 3, line 1.) That is, the cable 48 that includes sections 48a, 48b, 53, is wired directly into the generator 3 and the control-display device 46. Therefore, Fujikawa explicitly teaches away from having “a stand-alone detachable humanly perceptible indicator having a plug adapted to be inserted into a power receptacle, and to output at least one discontinuous humanly perceptible indication of the sensed signal supplied to the load.” Accordingly, independent claims 1 and 19 are allowable.


Dependent claims 7 and 26 are dependent from claims 1 and 19, respectively. Accordingly, claims 7 and 26 include patentable subject matter for the reasons set forth above with respect to claims 1 and 19.

No new matter has been added.

#### CONCLUSION

Entry of the Amendment and allowance of claims 1, 2, 4 – 9, 19, 21 – 24, 26 – 28 are respectfully requested. The undersigned is available for telephone consultation at any time during normal business hours.

Respectfully submitted,



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